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>>From Phoenix Health Systems--HIPAA Knowledge--HIPAA Solutions<<
=>Healthcare IT Consulting & Outsourcing<=

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** Preparing for the Unthinkable:

Contingency Planning and Disaster Recovery Under HIPAA **

Join us for part two of our audioconference series as we delve further into a practical, cost-effective disaster & contingency planning framework for the health care organizations, discuss specific examples, and compare the benefits of popular disaster recovery options. WED., May 22nd at 2:00 PM EDT

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This week's HIPAAnote...

** Redisclosing Information **

A patient's medical record will often contain reports, transcribed notes and other documents that were created by another provider and sent to the current attending or referring provider. Just when you think you understand HIPAA's requirements for release of information, along comes a request to redisclose information in the record sent by another provider. Is this allowable? Even though the treating provider might not have created all the information in the patient's medical record, these requests are acceptable because HIPAA requires that all valid authorizations contain a statement that says "...information used or disclosed pursuant to the authorization may be subject to redisclosure by the recipient and no longer be protected by this rule".

Providers should remember that all information contained in the record should be treated the same - with a few exceptions. Information created by another provider relating to drug and alcohol abuse is not subject to redisclosure because of The Confidentiality of Alcohol and Drug Abuse Patient Records rules. Some states also have laws that address redisclosure of information that may be more stringent than HIPAA. If this is the case, then state law or regulation will prevail.

Otherwise, valid authorizations relating to the incorporated information should follow the same procedures as an authorization for information

created by the current provider. This means that the Minimum Necessary standards still apply. Likewise providers should remember that exceptions to requests for the record still apply if the individual makes a request to view his or her record. Lastly, patients who view their record and request an amendment to any incorporated information should be directed to the facility where the information originated.

To read more about redisclosure of information go to:

Confidentiality of Alcohol and Drug Abuse Patient Records
(http://www.access.gpo.gov/nara/cfr/waisidx_00/42cfr2_00.html)

Privacy Rule Guidance Document
(<http://www.hipaadvisory.com/regs/finalprivacy/gwhole.htm>)

Amanda Dorsey,
Consultant, Phoenix Health Systems

That's today's HIPAAnote...now, pass it along!

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IT'S HERE! The brand new GUIDE TO MEDICAL PRIVACY AND HIPAA -- a comprehensive, 500-page reference on HIPAA how-to's across every compliance phase, including user-friendly analysis and advice by legal and consulting experts, plus sample forms, checklists, workplans and more -- even regular monthly updates and additions for a year!

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HIPAAnotes are published weekly as a learning tool to help you and your associates stay tuned-in to HIPAA and its implications. Forward it to anyone with a "need to know" through your own internal mailing list, intranet or newsletter -- whatever works for you...

Our HIPAAcratic oath: We'll use your ideas for HIPAAnotes -- send them!
Email D'Arcy Gue, Editor: info@phoenixhealth.com

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